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Proposed Special Counsel to the Debtors and Debtors in Possession

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

		)	
In re:		)	Chapter 11
		)	
CELSIUS NETWORK LLC, et al.,	1	)	Case No. 22-10964 (MG)
		)	
	Debtors.	)	(Jointly Administered)
		)	

# FIRST SUPPLEMENTAL DECLARATION OF JOHN J. SIKORA IN SUPPORT OF DEBTORS' APPLICATION FOR AUTHORITY TO RETAIN AND EMPLOY LATHAM & WATKINS LLP AS SPECIAL COUNSEL TO THE DEBTORS EFFECTIVE AS OF THE PETITION DATE

I, John J. Sikora, declare as follows:

1. I am a partner in the law firm of Latham & Watkins LLP ("<u>L&W</u>"), an international law firm with offices across the United States, Europe, and Asia. I am admitted in, practicing in, and a member in good standing of the state bar of Illinois, and there are no disciplinary proceedings pending against me. I am over the age of eighteen, am authorized to submit this Declaration, and am competent to testify on the matters contained herein.

chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these

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- 2. I submit this first supplemental declaration (the "First Supplemental Declaration") in further support of the *Debtors' Application for Authority to Retain and Employ Latham & Watkins LLP as Special Counsel to the Debtors Effective as of the Petition Date* [D.I. 363] (the "Application")<sup>2</sup> and to supplement the disclosures set forth in the Sikora Declaration attached as Exhibit B to the Application (the "Initial Sikora Declaration").
- 3. All facts set forth in this First Supplemental Declaration are based upon my personal knowledge, information supplied to me by other L&W professionals or paraprofessionals, or learned from my review of relevant documents. To the extent any information disclosed herein requires amendment or modification as additional information becomes available to L&W, an additional supplemental declaration will be submitted to this Court reflecting such amended or modified information.
- 4. Since the Application was filed, L&W has continued to review its connections to parties in interest in the Chapter 11 Cases using the disclosure procedures described in paragraphs 11 and 12 of the Initial Sikora Declaration. Specifically, L&W searched its Client Database for connections to the parties listed on Appendix 1 hereto (collectively, the "Supplemental Parties in Interest"), which are parties that were not included in the initial Parties in Interest List appended to the Initial Sikora Declaration. This inquiry revealed that certain of the Supplemental Parties in Interest are current or former clients of L&W, or were clients of L&W attorneys while such attorneys were at a prior firm. Such Supplemental Parties in Interest, and their relationship to L&W, are listed on Appendix 2 to this First Supplemental Declaration. Through the information generated by this computer inquiry, and through follow-up inquiries with L&W attorneys as necessary, it was determined that the representation of the Supplemental Parties in Interest

<sup>&</sup>lt;sup>2</sup> Capitalized terms used but not defined herein have the meanings ascribed to them in the Application.

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disclosed on Appendix 2 hereto concerned matters in which such clients were not adverse to the

Debtors or the Debtors' estates with respect to the L&W Services.

Based on the information available to me, I believe that L&W: (a) has no

connection to the Debtors, their creditors, or their related parties except as may be disclosed herein

or in the Sikora Declaration, and (b) does not hold or represent any interest adverse to the interests

of the Debtors or their estates with respect to the matters on which L&W is to be employed in these

Chapter 11 Cases.

5.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true

and correct to the best of my information, knowledge, and belief.

Executed on this 12th day of August, 2022.

/s/ John J. Sikora

John J. Sikora

## Appendix 1

**Supplemental Parties in Interest List** 

#### **Supplemental Parties in Interest List**

#### 1. Bankruptcy Professionals

Akin Gump Strauss Hauer & Feld LLP C Street Advisory Group Deloitte & Touche LLP Ernst & Young White & Case LLP

#### 2. Ordinary Course Professionals

A. Georgiou & Co. LLC
Advokatu Kontora Sorainen IR Partneriai
Buckley LLP
CMS Cameron McKenna Nabarro Olswang
LLP
Finnegan Henderson Farabow Garrett &
Dunner LLP

Holley Nethercote Pty. Ltd.
Jackson Lewis PC
McCarthy Tetrault LLP
Taylor Wessing LLP
Uría Menéndez Abogados SLP
Wilson Sonsini Goodrich & Rosati PC

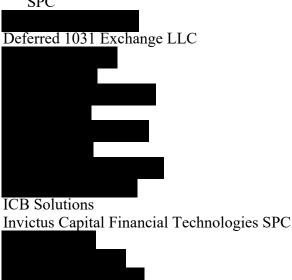
#### 3. Top 50 Unsecured Creditors

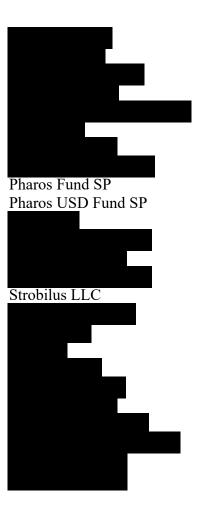
Alameda Research Ltd. AltCoinTrader Pty. Ltd. B2C2 Ltd.

CAEN Group LLC, The

Covario AG

Crypto10 SP - Segregated Portfolio of Invictus Capital Financial Technologies SPC







#### 4. Retail Customers

Abeliuk, Eduardo Abuvala, Ravi Ryan Adams, Darryl Thomas Al Khoori, Mohamed Yousif Ahmed H. Alexander, Alena Ali, Khaleef Ali, Yanush AltCoinTrader Pty Ltd.

Andari Co. Ltd. Ankeney, John Charles Ashizaki, Yuki

#### Baer, Matthew David

Baslaib, Mohamed Ali Mohamed Naser Bauman, Simon Bennett, Danyal Berg, Henry Guyer Berrada, Amin BJ Investment Holdings LLC BNK to the Future Boroff, Dustin Charles Boskovski, Nikola

Bressler, David Jason
Brian T. Slater Revocable Living Trust
Bright, Nicolas John
Broad Reach Consulting LLC

Bru Textiles NV
Burkgren, Eric Alan
CAEN Group LLC, The
Campos, John Jr.
Carolyn Vincent Superannuation Fund
Carter, Luke Armstrong
Champigny, Edward William

Chiu, James Lee Chiu, Yee Lai



Choi, Linda Yi Choi, Luke Kyung Goo Christiansen, Robert Nathan Chu, Cindy Chulamorkodt, Natakom Chung, Ting Kong Terence Cipolloni, Mark J.

Cohen Pavon, Roni Coinmerce BV

Conklin, Jennifer Walter Covario AG Crypto10 SP

Damp, Steven Charles

Davis, Otis Deferred 1031 Exchange LLC

Delargy, Colin C.

DGL Investments LLC Dhiraj, Mandeep DiFiore ASA Irrevocable GST Trust Dixon, James

Donofrio, John

Druk Project Fund Duprex, Jeffrey Paul Ecko, Marc Eller, Phillip Brian Ellington, Brian Elshafei, Ashraf Eng Chuan, Liew Eriks, Dennis

Fertik, Michael Benjamin Selkowe

Fletcher, Brett Floatzen Doo Garner, Phillip Wayne Jr.

Gatt, Raymond

Gilmer, George Hudson

Goh, Jian Kai Gray, Jill Marie

GuljaÅi, JanoÅi

H Trussell Investments Pty. Ltd.

Halikias, Thomas T. Hamilton, Nathan

Harrell, Ashley Anne

Hartley, James

Herring, Stephen Ashley

Ho, Quoc Tri

Holt, Jonathon James HOME 007 LLC

Hughes, Stephen

Humphreys, Steven C.

Hunt, Bryan J.

**ICB Solutions** 

InfoObjects Inc.

Invictus Capital Financial Technologies SPC

Jahizi, Oliver Jensen, Joseph Jonas, Leah Nicole Joseph, Sebastian Juiris, Peter Casimir Kalynovskyi, Dmytro Kap, Ethan Garet Keiser, Marc Vito

Kelly, James Patrick

Kevin Batteh Trust, The

Kim, Sungyoun

King, Christopher Scott

Koala 1 LLC

Koyama, Osamu

Ku, Yuehsu

Labenek, Andrew

Lamplough, Howard

Langslet, Robert

Lehrfeld, Joseph S.

Lewis Davies, Ryan Wynn

Lewis, Howard

Liao, Guoping

Lim, Jane

Liu, Nanxi Nanqian

Luo, Edward

Mahoney, Justin Michael

Manea, Mircea

Manzke, Holger

Marchioni, John P.

Mastropieri, Bengi

Matsumura, Fumihiko

Mattina, Christopher W.

McCarty, John Edward

McGarry, Brian Thomas

McIntyre, Deverick

McKeon, Brian Joseph

McNeil, James W.

Meehan, Kristine M.

Mellein, John Gabriel

Mercola, Joseph Michael

Messall, Patrick

MHT Super Pty. Ltd.

Miller, Samuel Garfield, Jr.

Mohan, Arun

Moon, Wang Sik

Moser, Christopher M.

MSL Family Trust, The

Musumeci, Antonio

Narayanan, Swathi Lakshmi Tirupattur

Neiman, Gary

Neste, Bradley Nguyen, Phuc

Pae, Mitchell Chon Pagnanelli, Victor Carl Palm, Travis John

Paris Castle IV LLC

Patel, Shilla Natvarbhai Patil, Abhitabh Aneel

Pham, Khai Trinh
Phonamenon Management Group LLC
Pierce, James

Plutus21 Blockchain Opportunities II SP Plutus21 Blockchain Yield I SP Pomeranz, Alex Aaron

Pundisto, Lalana Pusnei, Alexandru

Pierson, Justin T.

Reitz, Spencer Mcdowell RHMP Properties Inc.

Ritter, David Ritter, Linda J. Ritter, Paul

Robert, Joseph Murdoch Robinson, Andrew Douglas

Salera, Manuel Schroeder, Jesse Sese LLC

Shar, Stephen Phillip

Sidibe, Aissata

Slater, Glen Brian Sleeping1 LLC Smith, David Silva Smith, Nelson Courtney Sondhi, Tarun Souders, Jack Trayes Stapleton, Paul Steinborn, Steven Harold Stevens, Daron Robert

Stringer, Douglas Ross Strobilus LLC Sun, Siqi Sutton, Sebastian Swyftx Pty. Ltd. Sypniewski, Christian

Tap Root LP
Thayer, Craig William
Thomas DiFiore Childrens GST Investment
Irrevocable Trust
Tincher, Steven Jess
Tobias, Scott Jeffrey

Trebtow, Jens Tremann, Christopher Ernest Tuganov, Ignat

Tyler, Craig Edward Ubuntu Love Pty. Ltd. Valkenberg, Renaud

Vendrow, Vlad

Vivas, Rafael Wagner, Thomas Nichols Walcott, Robert Walkey, Thomas Wang, Yidi

Wierman, Duncan Craig

Williams, Charles W. Williams, Robert, II Williamson, Hiram Wiseman, Timothy Wolf, Cody Lee

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Woodward, Laurie

Wu, Xinhan Yao, Mark

Yeung, Tak H.

Young, John Martin Yu, Byung Deok Zhang, Xi Zhong, Jimmy Ziglu Ltd. Zipmex Asia Pte. Ltd. Zwick, Matthew James

## Appendix 2

**Client Match List** 

### **Client Match List**

Matched Entity	Relationship to Debtors	Relationship to L&W <sup>1</sup>
Ernst & Young	Bankruptcy Professionals	Current Client, Prior Client
Deloitte & Touche LLP	Bankruptcy Professionals	Current Client, Prior Client
White & Case LLP	Bankruptcy Professionals	Prior Client
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP	Ordinary Course Professionals	Prior Client
McCarthy Tetrault LLP	Ordinary Course Professionals	Prior Client
Uría Menéndez Abogados, S.L.P	Ordinary Course Professionals	Prior Client
Alameda Research Ltd	Top 50 Unsecured Creditors	Current Client
BNK To The Future	Retail Customers	Prior Client

The term "<u>Current Client</u>" refers to an entity listed as a client in L&W's Client Database for whom time has been recorded in the past three years and L&W has at least one open matter. The term "<u>Prior Client</u>" refers to an entity listed as a client of an L&W attorney while such attorney was at a prior firm.